

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA

JEFFREY SNYDER, D.O.,  
an individual,

Plaintiff,

v.

BOARD OF REGENTS FOR THE  
OKLAHOMA AGRICULTURAL &  
MECHANICAL COLLEGES, *ex rel.*,  
OKLAHOMA STATE UNIVERSITY  
CENTER FOR HEALTH SCIENCES, *et*  
*al.*

Defendants.

Case No. CIV-16-384-F

JURY TRIAL DEMANDED

**DEFENDANT BOARD OF REGENTS FOR THE OKLAHOMA**  
**AGRICULTURAL AND MECHANICAL COLLEGES, *ex rel.*,**  
**OKLAHOMA STATE UNIVERSITY CENTER FOR HEALTH SCIENCES'**  
**RESPONSES TO PLAINTIFF'S OPENING DISCOVERY**

COMES NOW Defendant, Board of Regents for the Oklahoma Agricultural and Mechanical Colleges, *ex rel.*, Oklahoma State University Center for Health Sciences ("Defendant"), and submits its answers and responses to Plaintiff's Opening Discovery Requests.

**GENERAL OBJECTIONS**

1. Defendant objects to Plaintiff's discovery requests to the extent they are not: relevant to the subject matter involved in the pending action, related to the claim(s) or defense(s) of either party, or calculated to lead to the discovery of admissible evidence.

2. Defendant objects to the disclosure of any information that was prepared in anticipation of or for litigation by or for it or any of its representatives or that are otherwise beyond the permissible scope of discovery.

**EXHIBIT**

**5**

**REQUESTS FOR ADMISSION**

**REQUESTED ADMISSION NO. 1:** *Admit that the Plaintiff was an employee of the Defendant.*

**RESPONSE TO REQUESTED ADMISSION NO. 1:** Defendant denies Plaintiff's Requested Admission No. 1.

**REQUESTED ADMISSION NO. 2:** *Admit that the Plaintiff was a student of the Defendant.*

**RESPONSE TO REQUESTED ADMISSION NO. 2:** Defendant denies Plaintiff's Requested Admission No. 2, as Plaintiff was not a student of Defendant, but instead, was a resident physician participating in Defendant's residency program, which serves as a clinical education program for graduate physicians who have completed their first year of postgraduate training.

**REQUESTED ADMISSION NO. 3:** *Admit that the Defendant terminated Plaintiff from employment.*

**RESPONSE TO REQUESTED ADMISSION NO. 3:** Defendant denies Plaintiff's Requested Admission No. 3.

**REQUESTED ADMISSION NO. 4:** *Admit that the Defendant terminated Plaintiff from its medical residency program.*

**RESPONSE TO REQUESTED ADMISSION NO. 4:** Defendant denies Plaintiff's Requested Admission No. 4, as Plaintiff was not terminated from Defendant's residency program, but instead, was dismissed from the program due to Plaintiff's abandonment of his position.

**REQUESTED ADMISSION NO. 5:** *Admit that, prior to the Plaintiff's termination, from the residency program, he had made a complaint of gender discrimination.*

**RESPONSE TO REQUESTED ADMISSION NO. 5:** Defendant denies Plaintiff was terminated from the residency program; however, Defendant admits Plaintiff made a complaint of gender discrimination prior to his dismissal from the residency program for abandonment of his position.

**REQUESTED ADMISSION NO. 6:** *Admit that, prior to the Plaintiff's termination, from the residency program, he had made a complaint of disability discrimination.*

*employment, date of birth and gender) the person(s) who made the final decision to terminate the Plaintiff from the residency program.*

**RESPONSE TO INTERROGATORY NO. 2:** Defendant objects to Plaintiff's Interrogatory No. 2 as being overly broad, and unduly burdensome. Additionally, Defendant objects to the Interrogatory as being argumentative in that it assumes Plaintiff was terminated from the Defendant's residency program, which Defendant denies. Pursuant to the definition included with Plaintiff's Interrogatories, "termination" references a separation of employment and thereby implies an employer/employee relationship. Such a relationship never existed between Defendant and Plaintiff. Notwithstanding these objections, Defendant responds as follows: The individual(s) who made the final decision to dismiss the Plaintiff from the residency program following his abandonment was/were:

Dr. Lora Cotton  
Program Director  
Vice Chair and Professor of Family Medicine, Statewide Director of Family Medicine  
Residency Program, Director of Medical Education for OSU COM Residency Program  
of Family Medicine, OMM and Psychiatry  
OSU HealthCare Center  
2345 Southwest Blvd  
Tulsa, OK 74107  
Office: 918-582-1980  
(918) 606-8103  
Dates of employment: 11-1-2006 to current  
DOB: 4-25-1968

**INTERROGATORY NO. 3:** *Identify (defined as full name, last known home address, last known home or cell phone number, work address, year of birth, dates of employment, date of birth and gender) the person(s) who participated (as defined above) in the decision to terminate the Plaintiff and describe for each their level of participation (e.g. whether the person reported a complaint about the Plaintiff, whether the person made the final termination decision, whether the person reviewed and approved such decision, etc.).*

**RESPONSE TO INTERROGATORY NO. 3:** Defendant objects to Plaintiff's Interrogatory No. 3 as being overly broad, and unduly burdensome. Additionally, Defendant objects to the Interrogatory as being argumentative in that it assumes Plaintiff was terminated from the Defendant's residency program, which Defendant denies. Pursuant to the definition included with Plaintiff's Interrogatories, "termination" references a separation of employment

and thereby implies an employer/employee relationship. Such a relationship never existed between Defendant and Plaintiff. Notwithstanding these objections, Defendant responds as follows: The individual(s) who participated in the decision to dismiss the Plaintiff from the residency program following his abandonment was/were:

Dr. Lora Cotton  
Program Director  
Vice Chair and Professor of Family Medicine, Statewide Director of Family Medicine Residency Program, Director of Medical Education for OSU COM Residency Program of Family Medicine, OMM and Psychiatry  
OSU HealthCare Center  
2345 Southwest Blvd  
Tulsa, OK 74107  
Office: 918-582-1980  
(918) 606-8103  
Dates of employment: 11-1-2006 to current  
DOB: 4-25-1968

Dr. Cotton participated in a group discussion addressing Plaintiff's failure to communicate his intentions in regard to returning to training and whether Plaintiff had abandoned his position. As noted above, Dr. Cotton made the final decision to dismiss Plaintiff from the program.

Dr. Jenny Alexopoulos  
Director of Medical Education at OSU Medical Center;  
Medical Director of OSU Physicians;  
Professor of Family Medicine  
(Director of Clinical Learning Environmental Review)  
OSUMC  
744 W. 9<sup>th</sup> St.  
Tulsa, OK 74127  
Office: 918-599-5922  
(918) 810-6251  
Dates of employment: 1-1-1995 to current  
DOB: 10-01-1963

Dr. Alexopoulos participated in a group discussion addressing Plaintiff's failure to communicate his intentions in regard to returning to training and whether Plaintiff had abandoned his position.

Dr. Gary Slick  
Head of OPTI  
Director of Medical Education THC Residencies, Medical Director OMECO, Professor of Medicine  
OSU Physician's Office Building Suite 500  
802 S. Jackson

Tulsa, OK

Office: 918-561-1290

(918) 237-6555

Dates of employment: 10-31-2005 to current

DOB: 4-13-1941

Dr. Slick was notified of the determinations made during the group discussion addressing Plaintiff's failure to communicate his intentions in regard to returning to training and whether Plaintiff had abandoned his position.

Dr. Christopher Thurman

Chair, Department of Family Medicine

Associate Professor of Family Medicine

OSU HealthCare Center

2345 Southwest Blvd

Tulsa, OK 74107

Office: 918-582-1980

(918) 645-3509

Dates of employment: 7-01-2003 to current

DOB: 7-31-1973

Dr. Thurman was notified of the determinations made during the group discussion addressing Plaintiff's failure to communicate his intentions in regard to returning to training and whether Plaintiff had abandoned his position.

Brenda Davidson

Associate Designated Institutional Officer

OSUMC

744 W. 9<sup>th</sup> St.

Tulsa, OK 74127

918-599-5922

Dates of employment: 7-31-2015 to current

DOB: 11-10-1961

Ms. Davidson participated in a group discussion addressing Plaintiff's failure to communicate his intentions in regard to returning to training and whether Plaintiff had abandoned his position.

Sunny Benjamin

Former Chief Human Resources Officer for OSUMC

3110 E 71 st Street

Tulsa, OK 74136

Ms. Benjamin participated in a group discussion addressing Plaintiff's failure to communicate his intentions in regard to returning to training and whether Plaintiff had abandoned his position.

Debbie Nottingham

OSU Medical Center HR

Senior Human Resources Representative OSUMC

744 W. 9th St.  
Tulsa, OK 74127

Ms. Nottingham participated in a group discussion addressing Plaintiff's failure to communicate his intentions in regard to returning to training and whether Plaintiff had abandoned his position.

**INTERROGATORY NO. 4:** *Identify (defined as full name, last known home address, last known home or cell phone number, work address, year of birth, dates of employment, date of birth and gender) all residency who were part of the same residency program as the Plaintiff.*

**RESPONSE TO INTERROGATORY NO. 4:** Defendant objects to Plaintiff's Interrogatory No. 4 as being overly broad, and unduly burdensome. Notwithstanding these objections, Defendant responds as follows:

Residents in the OSU-CHS and OMECO-THC Family Medicine Residencies

Academic Year 2013-2014

*Note: There are two accredited residencies in the Oklahoma State University Department of Family Medicine. The residents in the two programs train side by side in the clinic and in the hospital. They also share a call schedule. OGME II and OGME III residents from both programs supervise OGME I residents from both programs in the 24 hour hospital coverage service.*

OGME III (Senior residents in last year of training. They have a state medical license.)

Brewer, Elizabeth

Last known phone number: 918-521-3689

Role: Resident in same program as Plaintiff. She saw patients in the same outpatient clinic as the Plaintiff. When assigned, she provided backup supervision of Plaintiff when he was assigned to the Family Medicine hospital service.

Carey, Steffen

Last known phone number: 405-627-1673

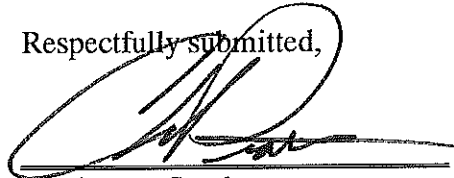
Role: Chief resident of Plaintiff's residency program. Resident in same program as Plaintiff. He saw patients in the same outpatient clinic as the Plaintiff. When assigned, he provided backup supervision of Plaintiff when he was assigned to the Family Medicine hospital service.

Fowler, Matthew

Last known phone number: 918-606-3904

Defendant's residency program, Plaintiff failed to mitigate his damages by failing to secure acceptance into another training program.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Stephen R. Stephens', is written over a horizontal line.

Stephen R. Stephens  
Michael Scott Fern  
Clinton W. Pratt  
Board of Regents for the Oklahoma  
Agricultural and Mechanical Colleges  
5th Floor, Student Union Bldg.  
Oklahoma State University  
Stillwater, OK 74078-7044  
steve.stephens@okstate.edu  
ATTORNEY FOR DEFENDANT  
BOARD OF REGENTS FOR THE  
OKLAHOMA AGRICULTURAL &  
MECHANICAL COLLEGES, EX REL.,  
OKLAHOMA STATE UNIVERSITY  
CENTER FOR HEALTH SCIENCES

**CERTIFICATE OF SERVICE**

I hereby certify that on July 31, 2017, I transmitted a copy of the foregoing document via electronic mail and regular first-class mail to:

Mark E. Hammons  
Amber L. Hurst  
Hammons Gowens Hurst & Associates  
325 Dean A. McGee Ave.  
Oklahoma City, OK 73102  
**ATTORNEYS FOR PLAINTIFF**


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AND OSUMC PROFESSIONAL  
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Ph.D.**

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**ATTORNEYS FOR DEFENDANTS  
LORA COTTON, D.O., AND JENNY  
ALEXOPULOS, D.O.**

  
Clinton W. Pratt



## VERIFICATION

I, LORA COTTON, being first duly sworn, upon oath state that I have read the foregoing Responses to Plaintiff's Interrogatories, that I am familiar with the matters set forth therein, and that same are true and correct to the best of my knowledge, information and belief.

  
Lora Cotton

COUNTY OF Tulsa )  
 ) ss  
STATE OF OKLAHOMA )

Subscribed and sworn to me this 31 day of July, 2017, by Lora Cotton.



My Commission Expires: 12/17/2017

Angie Bruce